



AN ORDINANCE

BY COUNCILMEMBERS HOWARD SHOOK AND CLAIR MULLER

AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION SD-01-09 (BROOKHAVEN) APPLICANT DEPOSIT A DOLLAR AMOUNT (\$101,904.69) EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO THE DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 7; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the application for the subdivision of land submitted by the developer, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed streets; and

WHEREAS, the construction of sidewalks along the frontage of this subdivision would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

WHEREAS, the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in the area of said subdivision with in District 7.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that application for subdivision of land provide sidewalk is hereby waived for Subdivision SD-01-09.

SECTION 2: That the waiver of said requirements for the aforementioned application is conditioned upon the agreement of the applicant to pay the City of Atlanta a dollar amount (\$101,904.69) equal to the value of construction of said sidewalks as required by Section 15-09.003 and as determined by the Commissioner of the Department of Public Works.

SECTION 3: That before the Director of Bureau of Building issues any building permit for construction within the subdivision sited above, said funds shall be deposited in Trust Fund Account 3P02 424101 Y63T19029999, to be used for pedestrian improvements and sidewalk construction only in Council District 7.

SECTION 4.: That all other requirements of the Code of Ordinances for the subdivisions sited above shall remain in full force and effect.

SECTION 5: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

October 18, 2004
October 20, 2004

CONSENT I

10-04-04 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1570 2. 04-O-1586 3. 04-O-1667 4. 04-O-1669 5. 04-O-1670 6. 04-O-1671 7. 04-O-1672 8. 04-O-1658 9. 04-O-1807 10. 04-O-1810 11. 04-O-1813 12. 04-O-1817 13. 04-O-1850 14. 04-O-1651 15. 04-O-1654 16. 04-O-1808 17. 04-R-1472 18. 04-R-1751 19. 04-R-1798 20. 04-R-1485 21. 04-R-1759 22. 04-R-1760 23. 04-R-1761 24. 04-R-1797 25. 04-R-1824 26. 04-R-1825 27. 04-R-1762 28. 04-R-1754 29. 04-R-1755 30. 04-R-1756 31. 04-R-1757 32. 04-R-1827 33. 04-R-1799 34. 04-R-1768 35. 04-R-1769 36. 04-R-1770 37. 04-R-1771	38. 04-R-1772 39. 04-R-1773 40. 04-R-1774 41. 04-R-1775 42. 04-R-1776 43. 04-R-1777 44. 04-R-1778 45. 04-R-1779 46. 04-R-1780 47. 04-R-1781	48. 04-R-1783 49. 04-R-1784 50. 04-R-1785 51. 04-R-1786 52. 04-R-1787 53. 04-R-1788 54. 04-R-1789 55. 04-R-1790 56. 04-R-1791 57. 04-R-1792 58. 04-R-1793 59. 04-R-1794

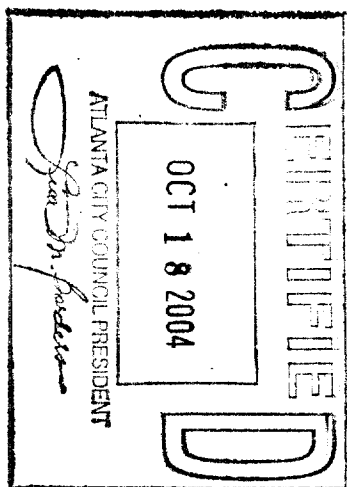
#4
04-0-1808
(Do Not Write Above This Line)

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED



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THE DESIGNATED TRUST FUND ACCOUNT FOR
DISTRICT 7; AND FOR OTHER PURPOSES.

ADOPTED BY

OCT 18 2004

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 10/14/04

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____
Date _____
Chair _____
Referred To _____
Action
Fav, Adv, Hold (see rev. side)
Other

Committee _____
Date _____
Chair _____
Action
Fav, Adv, Hold (see rev. side)
Other

Members
Refer To

Members
Refer To

Committee _____
Date _____
Chair _____
Action
Fav, Adv, Hold (see rev. side)
Other
Members

Committee _____
Date _____
Chair _____
Action
Fav, Adv, Hold (see rev. side)
Other
Members

Refer To

Refer To

MAYOR'S ACTION
APPROVED

OCT 20 2004

MAYOR

CERTIFIED
OCT 18 2004
Municipal Clerk